

The New Regime



The French way of dividing up the past

histoire moderne

“modern” history, c. 1450-1789

époque révolutionnaire

revolutionary era, 1789-1804

Premier Empire

First Empire, 1804-1815

histoire contemporaine

“contemporary” history, 1815-present

When does the regime become “new”?

Old Regime and Revolution... and a New Regime?

- 10 October 1793 government declared to be “revolutionary until the peace”
- 5 February 1794
(17 pluviôse II) “It is time to mark clearly the goal of the revolution and the end we want to reach; it is time for us to take account both of the obstacles that still keep us from it and of the means we ought to adopt... In our land, we want to substitute morality for egotism, integrity for formal codes of honor, principles for customs, a sense of duty for one of mere propriety, the rule of reason for the tyranny of fashion, scorn of vice for scorn of the unlucky... We wish to substitute merit for intrigue, genius for wit, truth for glamour.”
 Robespierre, “On the Principles of Political Morality”

When does the regime become “new”?

Old Regime

privilege (private law)

estates

provinces

“feudalism”

King and his Court

Divine Right

loyalty to royal dynasty

Contemporary France

equality before the law

individuals

departments

private property

participatory politics

state secularism

nationalism

When does the regime become “new”? When does the revolution end?

- 1791 Constitutional monarchy
- 1793 Republic (unicameral, one-year term legislative;
local primary assemblies; 24-man executive council)
- 1795 (Year III) Directory (republic with bicameral legislative; 5-man executive)
- 1799 (Year VIII) Consulate (republic with 3 legislative bodies and 3-man executive)



The Constitution Being Read to the French People, fall 1795

...as the shining sun, after having long been hidden by violent storms, shows itself one beautiful morning and gladdens everyone's heart [so Bonaparte returns]. ... Peace, the one source of true happiness: you will give it to us. Your strength will impose it; your honesty has earned you the trust and esteem of our enemies (at least those whom we must not count among the barbarians).

The Epochs, or Summary of the Most Memorable Events in the History of General Bonaparte (1799).



“The flight to Egypt once
Preserved the savior of men,
And yet a few malicious spirits
Doubt the miracle now and again.
One history still is certain,
Whatever you think of the old one:
That out of Egypt now comes
A savior for France, for the nation.”
from a play performed in France in 1800



Jean Pierre Franque, *Allegory on the State of France before the Return from Egypt* (1810), oil on canvas, 2.61 x 3.26 meters (Louvre, Paris).



Bronze medallion, “Arrival at Fréjus”

Bonaparte: The Savior

18th of Brumaire Year VIII (November 9, 1799)

- 18 brumaire Council of 500 and Council of Elders persuaded to leave Paris to avoid “Jacobin” uprising under protection of Bonaparte’s forces
- 19 brumaire
- members of Council of 500 demand evidence of plot
 - Bonaparte: “Don’t forget! I walk with the God of war and the God of victory...” –attacked, but saved by army
 - many legislators flee in fear; army gathers roughly a hundred who vote to dissolve both houses and end the Directory
- 22 brumaire new constitution promulgated: creates Consulate, does not include a Declaration of Rights



brumaire and the creation of the Consulate

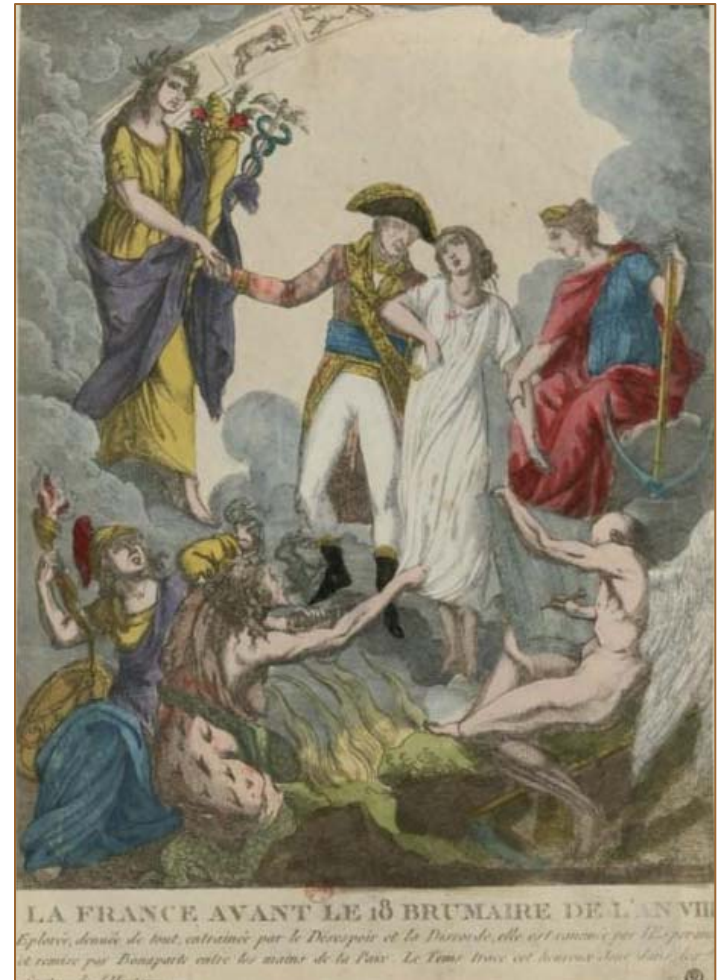
Discord and Despair, the Causes

War of the Second Coalition

widespread lawlessness in south and west

continued conflict with Catholic Church

[if that conflict is resolved, what happens to the lands that were sold and to the people who bought them?]



France, before the 18th of brumaire, Year VIII: ruined, stripped of all, led astray by discord and despair—Hope and General Bonaparte return her into the hands of Peace while Time traces this happy day in the historical record

First Consul
Council of State

exclusive right to draft and introduce legislation
assists First Consul in drafting legislation

Tribunate
Legislate Body

100 members; debates legislation
300 members; votes on legislation*

Senate

80 life members



* 69 members of the Tribunate and 240 of the Legislative Body had been members of Directory legislatures; 20 had voted for the death sentence of Louis XVI

brumaire and the creation of the Consulate

The First Consul

- Jan. 1800 opposition journalists shut down
- 1800 plebiscite to ratify constitution (75% voter abstention)
- May 1802 Bonaparte named "Consul for Life" ratified by plebiscite
- 1804 declaration of Empire ratified by plebiscite (50% turnout)
- 1807 Tribunate abolished



God creating the First Man (1800-1801?)

Was the Consulate a republican form of government?



Jacques Louis David, *Napoleon in his Study* (1812)

The Napoleonic Code

“The laws have effect throughout the whole French territory... and shall be executed in every part of the republic from the moment at which their promulgation can have been known.”

drafted under Consulate, 1800-1802

became law as “Civil Code,” 1803

name changed to “Napoleonic,” 1807

Civil Code: new regime or old?

Civil Code and Family Law

fathers are the family's "first magistrate"
children under 18 cannot leave
under 25 must have permission to marry
"an infant conceived during marriage
claims the husband as his or her father"

abolished strictly egalitarian inheritance laws
(introduced in 1792) though prohibits
leaving entire estate to single child

severely limited divorce (legalized Sept. 1792)



His Majesty shows the Civil Code, which he has just finished,
to Her Majesty the Empress. (1807)

"The Government of the French Republic recognizes that the Roman, Catholic and Apostolic religion is the religion of the great majority of French citizens. His Holiness likewise recognizes that this same religion has derived and in this moment again expects the greatest benefit and grandeur from the establishment of the Catholic worship in France and from the personal profession of it which the Consuls of the Republic make."

- Maintained freedom of religion
- Bishops to be named by the First Consul
12 former "constitutional" bishops and 16 non-juring
- Government to pay bishops and priests' salaries
- Church gave up all claims to *biens nationaux*

• Bishops to take loyalty oath:

"I swear and promise to God, upon the Holy Scriptures, to remain in obedience and fidelity to the Government established by the constitution of the French Republic. I also promise not to have any intercourse, nor to assist by any counsel, nor to support any league, either within or without, which is inimical to the public tranquility; and if, within my diocese or elsewhere, I learn that anything to the prejudice of the State is being contrived, I will make it known to the Government."

Concordat of 1801*



* ratified in France, 1802

Contemporary France and Napoleonic France

equality before the law

individuals—*but not all people are equally individual*

departments—*no longer elect own admin; prefects appointed by First Consul*

private property

participatory politics—*in form only*

state secularism—*primary education left largely to religious orders; Concordat*

nationalism—*criteria for participation is loyalty to Bonaparte/Napoleon;
Council of State in 1800-1803 included five men who occupied
public positions of power in the Year II and four who spent that
year either in hiding or in prison*

When does the regime become “new”? When does the revolution end?

Sources

1. Prefecture, Bar-le-Duc (Meuse); originally constructed in the 1600s for the Antonist monks; fr.wikipedia.org
3. “Equality: the Coal Carriers, like the Knights of Saint Louis, are required to relinquish the distinctive signs that they wore under the former regime [*ancien régime*]” 1792? Anonymous print; photo from gallica.bnf.fr
6. “The Constitution being Read to the French People,” anonymous print, 1795; photo from gallica.bnf.fr
7. text from [anonymous], *Les époques, ou Précis des actions mémorables du général Bonaparte* [The Epochs, or a Summary of the Memorable Actions of General Bonaparte] (Paris: Batilliot, 1799); image from *Débarquement du général Buonaparte à Fréjus* [Arrival of General Bonaparte in Frejus] (1799); both from gallica.bnf.fr
8. “Bonaparte Presents the Olive Branch of Peace...”—the presence of the Ottoman figure to the far left suggests this is after the War of the Second Coalition but the treaty that ended that, the Peace of Amiens, was signed in March and the zodiac figures at the top suggest that this image is taking place in mid-autumn (Libra, the scales), which is when the Peace of Campo Formio was signed in 1797; image from gallica.bnf.fr
9. Jean Pierre Franque, *Allegory on the State of France before the Return from Egypt* (1810), oil on canvas, 2.61 x 3.26 meters (Louvre, Paris) and bronze medallion (Sèvres, Cité de la céramique) both photos from www.photo.rmn.fr; poem cited in Philip Dwyer, *Napoleon, the Path to Power* (New Haven: Yale University Press, 2007), p. 509.
10. *The Three Consuls* adapted from *Portrait des trois consuls, en buste...* (Paris: Chataignier, 1800); gallica.bnf.fr
11. *La France avant le 18 brumaire de l’an VIII...* (Paris: Basset, 1800); photo gallica.bnf.fr
12. “Buonaparte, Premier Consul,” (Orléans: Letourmy, 1800); Museum of European and Mediterranean Civilizations (MuCEM); photo www.photo.rmn.fr
13. *Dieu créant le premier homme* [*Allegory on the First Consul*], engraved by Dufresne; photo from gallica.bnf.fr
14. Jacques Louis David, *The Emperor Napoleon in his Study at the Tuileries* (1812), oil on canvas, 203 x 125 cms; National Gallery of Art, Washington D.C. (USA); photo from www.nga.gov
15. *His Majesty the Emperor and King shows the Empress and Queen the Civil Code, which he has just finished* (1807), engraving by François Anne David; photo gallica.bnf.fr
16. *Signature du Concordat* photo from gallica.bnf.fr; text of Concordat from Blaufarb, ed., *Napoleon*.